

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Dedrick Cornelius Hart

Docket No. 4:15-CR-9-1BO

Petition for Action on Supervised Release

COMES NOW Derek Godwin, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dedrick Cornelius Hart, who, upon an earlier plea of guilty to Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on July 10, 2015, to the custody of the Bureau of Prisons for a term of 30 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Dedrick Cornelius Hart was released from custody on February 4, 2016, at which time the term of supervised release commenced.

A Violation Report was submitted on February 24, 2016, advising the court that the defendant submitted to a urine test on February 12, 2016, which tested positive for marijuana. The defendant subsequently admitted to using marijuana on February 7, 2016. On February 26, 2016, the court agreed to take no action as the defendant was reprimanded for that conduct and a referral for substance abuse treatment was administered.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted to a urinalysis on April 8, 2016, which tested positive for marijuana. The defendant denies use; however, the specimen was confirmed positive for marijuana by Alere Laboratories on April 17, 2016.

On March 12, 2016, the defendant was charged with Possession of ½ Ounce or Less of Marijuana in Lenoir County, North Carolina. The defendant reported that the incident in question occurred as a result of a traffic stop, and that the marijuana seized from the center console of the vehicle during the encounter belonged to his passenger. The defendant is anticipating that his passenger will accompany him to court to admit that the marijuana did not belong to the defendant. The matter remains pending in Lenoir County District Court (16CR701287). As the defendant is denying guilt in this offense, it is recommended that no action be taken until the charge is adjudicated in state court.

The defendant is enrolled in the Surprise Urinalysis Program and failed to appear for his urinalysis tests on February 22, 2016, and March 18, 2016.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

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2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Derek Godwin
Derek Godwin
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: May 5, 2016

ORDER OF THE COURT

Considered and ordered this 6 day of May, 2016 and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge